

---

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

---

In Re:	)	Case No.: 16-15174
Kimberlee L Griffee	)	
	)	Chapter 13
	)	
Debtor(s).	)	Judge Timothy A. Barnes

---

NOTICE OF MOTION

TO: Kimberlee L Griffee, 722 Scarbrough Circle Hoffman Estates, IL 60169 *via US mail*

Trustee Marilyn O Marshall, 224 South Michigan Ste. 800, Chicago, IL 60604 *via ECF clerk's electronic delivery system*

U.S. Trustee, 219 S. Dearborn Suite 873, Chicago IL 60604 *via ECF clerk's electronic delivery system*

See attached service list

PLEASE TAKE NOTICE that on **September 28, 2017 at 10:00 a.m.**, I shall appear before the Honorable Judge Timothy A. Barnes at the Federal Courthouse, 219 S. Dearborn, Courtroom 744, Chicago, Illinois 60604, or any judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler  
David H. Cutler

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice and Motion upon the parties named above on September 7, 2017 before the hour of 10:00 p.m.

By: /s/ David H. Cutler  
David H. Cutler, esq.  
Counsel for Debtor(s)  
Cutler & Associates, Ltd.  
4131 Main St, Skokie, IL 60076  
Phone: (847) 673-8600

---

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

---

In Re:	)	Case No.: 16-15174
Kimberlee L Griffee	)	
	)	Chapter 13
	)	
Debtor(s).	)	Judge Timothy A. Barnes

---

MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COMES the Debtor, Kimberlee L Griffee (hereafter referred to as “the Debtor”), by and through her attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 USC 1334 and this is a "core proceeding" under 28 USC 157(b)(2).
2. The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on May 3, 2016 and her Plan was confirmed.
3. The Debtor’s confirmation Order provides for a plan payment of \$510 a month for 2 months then it rose to \$545 for 58 months until the end of the plan with unsecured creditors receiving 10% of their unsecured claims.
4. The Debtor fell behind on the trustee payments and has a default of \$1,544.22 as of the date of this motion. The Debtor did make a recent payment that was received on 8/28 for \$545.
5. The Debtor had fallen behind on her plan payments because her roommate had moved out leaving the Debtor responsible for making the mortgage and utility payments on her own and it has taken some time for her to find a roommate. The Debtor is able to make

the plan payments going forward and she is able to pay the slight monthly increase but she is not able to catch up on the full default amount.

6. The Debtor seeks to modify the plan to raise the monthly payment to \$582 a month to account for her default and to defer the current trustee's default to the end of the Plan.

WHEREFORE, the Debtor respectfully requests that this Court modify the Debtor's Plan Post Confirmation to raise the plan payment to \$582 a month beginning October 2017 and to defer the current default until the end of the plan; and for such further relief that this Court may deem just and proper.

Dated: September 7, 2017

Respectfully Submitted,

By: /s/ David H. Cutler  
David H. Cutler, esq.,  
Counsel for Debtor(s):  
Cutler & Associates, Ltd.  
4131 Main St.  
Skokie, IL 60076  
Phone: (847) 673-8600